



YOUR BENEFIT RESPONSIBILITIES AND RIGHTS

BENEFIT RESPONSIBILITIES

- You must register for work with your local SC Works center.
- You must be able and available for full-time work (**unless** you are specifically authorized by the agency to seek only part-time work).
- You must look for full-time work each week you file for unemployment benefits, unless otherwise instructed by the agency.
- You must file a claim for benefits each week you are unemployed in order to receive benefits. You will file your weekly claim for benefits by telephone or internet. A week of unemployment generally begins on Sunday and ends the next Saturday.
- You should file your weekly claim on Sunday or Monday after your claim week has ended.
- You must file your weekly claims timely. You cannot be paid benefits for any weeks that you do not file for or that you file late.
- You must report any earnings on your weekly claim. Gross earnings must be reported when you earn them, **NOT** when you get paid.
- You must periodically report to the local SC Works Center. You will be notified when to report. Failure to report when scheduled may result in a denial of your benefits.
- You must make one (1) of your four (4) weekly job searches through jobs.scworks.org.
- You must notify DEW of any address change through the MyBenefits portal at mybenefits.dew.sc.gov. This is important so that your tax form 1099-G will be sent to the correct address.
- You may be prosecuted for claiming and receiving benefits to which you are not entitled. You will have to pay back any benefits paid in error.

BENEFIT RIGHTS

This document explains many of your responsibilities and rights that are related to receiving unemployment insurance benefits under the South Carolina Department of Employment and Workforce law.

The purpose of the Unemployment Insurance Program is to pay unemployment benefits to workers who are unemployed through no fault of their own.

Employers pay all costs of the Unemployment Insurance Program. Workers do not pay any part of it.

QUESTIONS

You may have questions about your claim from time to time. If you have questions about your status of your claim, you may call TelClaim toll free at **1.866.831.1724** from 4 a.m. until midnight.

If you live outside South Carolina, call **1.866.831.1725**.

You have been given an ***Applicant Reference Guide***. It explains all about unemployment benefits and your eligibility requirements. Please read it carefully, or visit dew.sc.gov to learn more about the claims process.

MONETARY ELIGIBILITY

Your monetary determination shows your recent previous employment and wages that are used to establish your weekly and maximum monetary entitlement. Go over it carefully. If you have any wages during the base period that are not included, notify your SC Works center. Missing wages may be added to your monetary determination.

TO BE ELIGIBLE

- You must have worked in covered employment (*an employer who paid unemployment taxes*) during the base period.
- You must be unemployed or working less than full-time and earning less than your weekly benefit amount.
- You must report any work and **all** earnings you made during each claim week.

- You must report your gross pay. Only earnings greater than one-fourth your weekly benefit amount will be deducted from your benefit check. You are not entitled to benefits if you have wages equal to or more than your weekly benefit amount.
- You must look for work on your own each week you file a claim.
- You must report to the local SC Works center when required.
- You must be ready, willing, and able to return to work immediately.
- You must notify the claims taker if you are in school, or enrolled in a training course.
- You must file your claim each week as instructed in order to receive benefits.
- You must keep a record of your work search activities every week. You must make at least four (4) contacts each week. **One** of these searches must be made through SC Works Online Services at jobs.scworks.org.
- You may not be considered unemployed if you are self-employed in any activity, including farming or selling on a commission basis.

WAITING PERIOD

You must serve a one-week waiting period after you file your claim before you can receive any benefits, and this week will not be paid. You must be unemployed during this waiting week and otherwise meet the eligibility requirements of the law. In order for this week to establish waiting week credit, any earnings you made during this week must not be greater than your weekly benefit amount.

BENEFIT AMOUNTS

Unemployment benefits are determined by the wages you earned while working in insured employment during a base period. The standard base period is the first four of the last five completed calendar quarters before the effective date of your claim. If you do not qualify using the standard base, you may be eligible for an alternate base period.

During this one-year period, you must have worked in at least two quarters and have earned at least \$1,092 in your high quarter, and at least \$4,455 in total wages in insured employment in order to qualify for these benefits.

Also, your total base period wages must have equaled or exceeded one and one-half times the total of your high quarter wages.

BENEFIT YEAR

Your benefit year is the one-year period beginning with the effective date of your claim. The effective date of your claim is usually the Sunday preceding the date you filed your claim. You may receive benefits during this benefit year, provided you meet all eligibility

requirements until your benefit year expires, or you receive the total maximum benefit amount assigned to your claim, whichever comes **first**.

YOU MAY BE DISQUALIFIED

- If you are discharged for cause by your employer.
- If you quit your job without good cause.
- If you voluntarily retire from your job.
- If you refuse to take a referral to a job.
- If you refuse a suitable job offer.

After your disqualification period ends, you will need to reopen your claim by filing another initial claim with the MyBenefits portal at mybenefits.dew.sc.gov.

If you appeal a disqualification determination, you should continue to file your weekly claims. If the appeal is found in your favor, you can only be paid for weeks filed timely.

BENEFITS MAY BE TAXABLE

Unemployment benefits are subject to state and federal income taxes. The [Internal Revenue Service \(IRS\)](#) and the [S.C. Department of Revenue](#) will furnish complete information on how to report and compute the tax.

Individuals have the option of having taxes withheld from their benefits. If you choose to have taxes withheld, both state and federal taxes will be withheld. The tax withholding rate is 10 percent for federal and 7 percent for state taxes.

You will be furnished a statement, Form 1099-G, at the end of the calendar year, showing the amount of unemployment benefits you have received and any taxes withheld. The IRS and the State Department of Revenue will be furnished the same information. This form is mailed at the end of January of each year and is also available on our website after it is mailed.

If you have any questions regarding taxation of your benefits, contact the [IRS](#) or the [S.C. Department of Revenue](#). DEW cannot answer tax questions.

YOU MAY BE PENALIZED

Giving any false information or withholding information in order to obtain or increase benefits is fraud and could be subject to criminal prosecution with penalties ranging from fines to up to 10 years imprisonment. You may also be disqualified from 10 to 52 weeks. You will be required to repay any overpayments.

WHEN DO I STOP FILING? WHAT SHOULD I DO WHEN I RETURN TO WORK?

When you return to full-time work, you must stop claiming weekly benefits. You will be paid only for weeks you claim, so when you stop claiming, your claim stops. If you work less than full-time during the first week, report your earnings for the days you worked.

RIGHT TO APPEAL

You have the right to appeal any decision affecting your claim. The appeal may be filed by a letter addressed to:

S.C. Department of Employment and Workforce
Attention: Appeal Tribunal
P.O. Box 995
Columbia, S.C. 29202

Your appeal must be filed within 10 calendar days, including weekends and holidays, from the mailing date of the disqualifying determination. If the 10th day falls on a Saturday, Sunday or holiday, the appeal period is extended to the next business day.

Your employer also has the right to appeal when he disagrees with a decision. He must follow the same guidelines.

TELCLAIM

TelClaim lets you file your weekly claim and access information about your claim's status.

SC residents can call **1.866.831.1724** from 4:00 a.m. until midnight.

Non-residents can call **1.866.831.1725** from 4 a.m. until midnight.

Both lines are toll free, and services are provided free to claimants.

You can call to check the status of your payment only Tuesdays through Saturdays.

MYBENEFITS ONLINE PORTAL

You may file your initial claim and your weekly claim online through the [MyBenefits portal](http://mybenefits.dew.sc.gov) at mybenefits.dew.sc.gov. This easy-to-use service is fast, free and available 24 hours a day.

You can also:

- Change your contact information (address, phone number, email address)
- Change tax withholding option
- Retrieve 1099 information

SC Department of Employment and Workforce
Unemployment Insurance Division

Mission

To promote economic stability and relieve the hardships of unemployment by using employer contributions to pay benefits to eligible individuals.

Vision

The Unemployment Insurance Division provides a quality service to the public through a well-trained, motivated, ethical, professional workforce; effective management of resources; a positive work environment; and commitment to a continued tradition of excellence.

DEW homepage: dew.sc.gov

File online: mybenefits.dew.sc.gov

Contact: ui@dew.sc.gov